

110TH CONGRESS  
1ST SESSION

# S. 2301

For the relief of Malachy McAllister, Nicola McAllister, and Sean Ryan  
McAllister.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2007

Mr. MENENDEZ introduced the following bill; which was read twice and  
referred to the Committee on the Judiciary

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## A BILL

For the relief of Malachy McAllister, Nicola McAllister, and  
Sean Ryan McAllister.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. PERMANENT RESIDENT STATUS.**

4       (a) IN GENERAL.—Notwithstanding subsections (a)  
5       and (b) of section 201 of the Immigration and Nationality  
6       Act (8 U.S.C. 1151), Malachy McAllister, Nicola  
7       McAllister, and Sean Ryan McAllister shall each be eligi-  
8       ble for an immigrant visa or for adjustment of status to  
9       that of an alien lawfully admitted for permanent residence  
10       upon filing an application for an immigrant visa under

1 section 204 of such Act or for adjustment of status to  
2 lawful permanent resident.

3 (b) ADJUSTMENT OF STATUS.—If Malachy  
4 McAllister, Nicola McAllister, or Sean Ryan McAllister en-  
5 ters the United States before the filing deadline described  
6 in subsection (d), he or she shall be considered to have  
7 entered and remained lawfully in the United States and  
8 shall, if otherwise eligible, be eligible for adjustment of  
9 status under section 245 of the Immigration and Nation-  
10 ality Act (8 U.S.C. 1255), as of the date of the enactment  
11 of this Act.

12 (c) WAIVER OF GROUNDS FOR REMOVAL OF, OR DE-  
13 NIAL OF ADMISSION.—

14 (1) IN GENERAL.—Notwithstanding sections  
15 212(a) and 237(a) of the Immigration and Nation-  
16 ality Act (8 U.S.C. 1182(a), and 1227(a)), Malachy  
17 McAllister, Nicola McAllister, and Sean Ryan  
18 McAllister may not be removed from the United  
19 States, or denied admission to the United States, by  
20 reason of any act of any of such individuals that is  
21 a ground for removal or denial of admission and is  
22 reflected in the records of the Department of Home-  
23 land Security, or the Visa Office of the Department  
24 of State, on the date of the enactment of this Act.

1           (2) RESCISSION OF OUTSTANDING ORDER OF  
2       REMOVAL.—The Secretary of Homeland Security  
3       shall rescind any outstanding order of removal or de-  
4       portation, or any finding of deportability, that has  
5       been entered against Malachy McAllister, Nicola  
6       McAllister, or Sean Ryan McAllister by reason of  
7       any act described in paragraph (1).

8       (d) DEADLINE FOR APPLICATION AND PAYMENT OF  
9       FEES.—Subsections (a) and (b) shall not apply unless  
10      Malachy McAllister, Nicola McAllister, and Sean Ryan  
11      McAllister each file an application for an immigrant visa  
12      or for adjustment of status, with appropriate fees, not  
13      later than 2 years after the date of the enactment of this  
14      Act.

15      (e) REDUCTION OF IMMIGRANT VISA NUMBER.—  
16      Upon the granting of an immigrant visa or permanent  
17      resident status to Malachy McAllister, Nicola McAllister,  
18      and Sean Ryan McAllister, the Secretary of State shall  
19      instruct the proper officer to reduce by 3, during the cur-  
20      rent or next following fiscal year, the total number of im-  
21      migrant visas that are made available to natives of the  
22      country of the aliens' birth under section 202(a)(2) of the  
23      Immigration and Nationality Act (8 U.S.C. 1152(a)(2)).

24      (f) DENIAL OF PREFERENTIAL IMMIGRATION TREAT-  
25      MENT FOR CERTAIN RELATIVES.—The natural parents,

1 brothers, and sisters of Malachy McAllister, Nicola  
2 McAllister, and Sean Ryan McAllister shall not, by virtue  
3 of such relationship, be accorded any right, privilege, or  
4 status under the Immigration and Nationality Act (8  
5 U.S.C. 1101 et seq.).

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